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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,557	11/21/2003	Ronald P. Swanson	58710US002	3559
32692 7590 01/24/2007 3M INNOVATIVE PROPERTIES COMPANY PO BOX 33427 ST. PAUL, MN 55133-3427			EXAMINER KIM, SANG K	
			ART UNIT	PAPER NUMBER
			3654	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/24/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/719,557

Applicant(s)

SWANSON ET AL.

Examiner

SANG KIM

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on RCE 11/22/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 and 33-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15, 30, 31 and 33-40 is/are allowed.
- 6) ☒ Claim(s) 16-19 is/are rejected.
- 7) ☒ Claim(s) 20-29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/22/06 has been entered.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexeff et al., U.S. Patent No. 3343737.

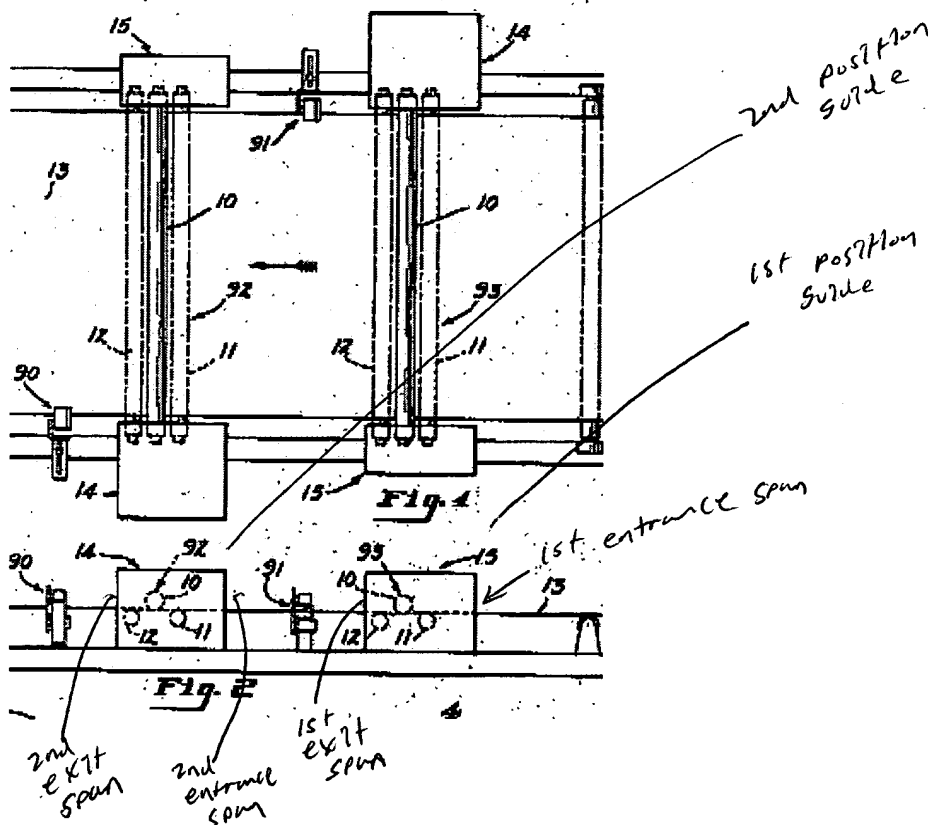
Regarding claim 16, Alexeff '737 shows an assembly for controlling a transverse position of a moving web 13 comprising: a first position guide (see illustration below) having a first entrance span and a first exit span, wherein the first position guide manipulates a transverse position of the moving web; a control unit 84 cooperating with the first positioning guide to control the transverse position of the moving web; a second position guide (see illustration below) having a second entrance span and a second exit span, another control unit 84 cooperating with the second positioning guide, wherein

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the control unit manipulates the second positioning guide to control the position of the moving web, see figures 1 and 2 below.

Alexeff '737 discloses the claimed invention except for using a closed loop control system and guiding the web at a certain width.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select a certain type of control system and guiding the web at a certain width as specified in the claims when guiding the web of Alexeff '737, and it being well known in the art to select a certain type of control system and guiding the web at a certain width to correspond to the nature of the material being guided. It would have been well within the level of skill of one skilled in the art to select the claimed dimensions based on considerations such as the material, using a certain type of controller or sensor, etc.



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Regarding claims 17-19, Alexeff '737 discloses the claimed invention except for a distance between each exit span is less than about one-half, one-quarter, or one-tenth of a web width. It would have been obvious to one having ordinary skill in the art at the time the invention was to select a distance between these each set of rollers as specified in the claims when guiding the web of Alexeff '737, it being well known in the art to select a certain distance between these set of rollers to correspond to the nature of the material being guided. It would have been well within the level of skill of one skilled in the art to select a distance between these rollers based on considerations such as the material, the web traveling distance, etc.

#### ***Allowable Subject Matter***

Claims 1-15 are allowed.

Claims 30-31 and 33-40 are allowed from the previous office action.

Claims 20-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims as indicated from the previous office action.

#### ***Response to Arguments***

Claim 1 has been amended.

Applicant's arguments, see pages 9-10, filed 11/22/06, with respect to claims 1-15 have been fully considered and are persuasive. The rejection of Martin '048 has been withdrawn.

Applicant's arguments with respect to claims 16-19 have been considered but are moot in view of the new ground(s) of rejection as set forth above.

Applicant states that claims 5 and 11-19 should be allowed because these claims depend from independent claim 1.

Examiner would like to point out that claims 5 and 11-15 depend from independent claim 1, and claims 17-19 depend from independent claim 16. Thus, claims 16-19 are still rejected as set forth above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANG KIM whose telephone number is 571-272-6947. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki, can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

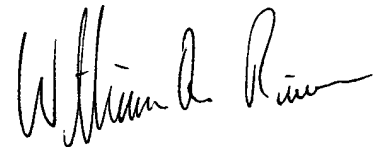
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK

1/9/07

A handwritten signature in black ink, appearing to read "William A. Rivera". The signature is fluid and cursive, with the first name "William" being the most prominent.

**WILLIAM A. RIVERA  
PRIMARY EXAMINER**